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CRAIG F. MONTEILH

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

2010 SEP -2 PM 12:41  
CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
SANTA ANA

FILED

CRAIG F. MONTEILH, an  
individual,

Plaintiff,

v.

UNITED STATES; IRVINE  
POLICE DEPARTMENT, a  
government entity; RON CARR,  
an individual; BARBARA  
WALLS, an individual and  
DOES 1 to 100, inclusive,

Defendants.

Case Number:  
SACV10-00102-JVS(RNBx)

**SECOND AMENDED  
COMPLAINT FOR DAMAGES  
OF PLAINTIFF CRAIG F.  
MONTEILH:**

- (1) Violation of 42 USC § 1983
- (2) Violation of 42 USC § 1983
- (3) Violation of Civil Rights
- (4) Negligence
- (5) Negligent Infliction of Emotional Distress

DEMAND OVER \$10,000,000  
JURY TRIAL REQUESTED

COMES NOW PLAINTIFF CRAIG F. MONTEILH, AN INDIVIDUAL,  
and pleads and avers the following facts, causes of action and  
prayer for damages against Defendants and each of them:

**JURISDICTION AND VENUE**

1. This court has jurisdiction over this action pursuant to  
28 U.S.C. § 1331, because Plaintiff's claims arise under federal law  
and the U.S. Constitution. Jurisdiction over the FBI is pursuant to

1 States; and

- 2 c. issuance of vague, confusing, and contradictory  
3 policies concerning the use of force and  
4 interrogations that are inconsistent with the  
5 requirements of the fourth, fifth, sixth, and eighth  
6 amendments of the United States Constitution.

7 127. Defendant City of Irvine, under color of law, intentionally,  
8 negligently, and with complete and deliberate indifference for  
9 Plaintiff's rights, authorized, permitted, and tolerated the custom  
10 and practice of the unconstitutional and excessive use of force and  
11 interrogation practices by members of the Irvine Police Department  
12 and, in particular by Defendant Carr and at the direction of the City  
13 of Irvine Police Chief Maggard, by failing to:

- 14 a. appoint, promote, train and supervise members of the  
15 Irvine Police Department who would enforce the laws in  
16 effect in California and who would protect the  
17 constitutional rights of the people of California;  
18 b. by permitting the policy and custom of using  
19 unreasonable force to exist and to be followed by the  
20 Irvine Police Department,  
21 c. thereby proximately causing the deprivation of Plaintiff's  
22 rights under the fourth, fifth, sixth and eighth  
23 amendments to the United States Constitution.

24 128. Defendants Ron Carr, the Irvine Police Department and  
25 DOES 1 - 30 are liable to Mr. Monteilh for damages for the  
26 deprivation of his rights in violation of 42 USC § 1983 and 1988 as  
27 prayed for below.

28 / / /

**SECOND CAUSE OF ACTION**  
**VIOLATION OF CIVIL RIGHTS - 42 USC § 1983**  
**AGAINST DEFENDANTS CARR AND**  
**IRVINE POLICE DEPARTMENT AND DOES 1 - 30**

129. Plaintiff incorporates the above stated paragraphs numbered 1 - 121, and each of them, as though set forth in their entirety herein.

130. Shortly after the above-described incidents, Defendants Irvine Police Department, Detective Carr, the FBI and ASAC Barbara Walls appeared at the Orange County Jail where Mr. Monteilh was incarcerated.

131. While interviewing suspected terrorists, Defendants Irvine Police Department, Detective Carr, the FBI and ASAC Barbara Walls improperly told the suspected terrorists incarcerated at the Orange County Jail that Mr. Monteilh was an informant.

132. Once a prisoner is labeled as an informant or "snitch" in jail their life in jail and/or prison suddenly changes and is in immediate danger. In jail and prison a "snitch" is frowned upon and is at the bottom of the hierarchy of prison life and subject to the severest verbal and physical attacks, including murder.

133. There is no real protection for a snitch in jail or prison, except protective custody, which also presents a different type of "hard time." In protective custody prisoners are confined in units that are separated from the general population and they spend an enormous amount of time (sometimes up to 23 hours a day) confined to a small cell in a separate housing unit. This takes a huge psychological toll on the imprisoned individual because of the existential nature of the punishment. The prisoner becomes fully

1 aware of each moment and is left alone to contemplate his  
2 situation, which at times is overwhelming and can lead to suicidal  
3 tendencies.

4 134. After the terrorists and other inmates were told by  
5 Defendants that Mr. Monteilh was an informant or "snitch," they  
6 published this information by word of mouth to other jails in  
7 Orange County, Wasco State Prison and Coalinga Community  
8 Correctional Facility. The Defendants knew or should have known  
9 that by telling the terrorists that Mr. Monteilh was an informant,  
10 showing his picture and saying that he had previously worked with  
11 Defendants, that said information would be published throughout  
12 the jails and prisons where Mr. Monteilh would be incarcerated,  
13 that his life would be placed in danger and that Mr. Monteilh would  
14 suffer great mental and physical harms.

15 135. Upon information and belief, Defendants further  
16 published to other inmates and to the public at large, that Mr.  
17 Monteilh was an informant. Defendant published this information  
18 knowing it was dangerous and life threatening to Mr. Monteilh, or  
19 with reckless disregard as to the effects if the statements.

20 136. Until Defendants made their statements, there was no  
21 information in the jail or prison, rumor or otherwise, to suggest that  
22 Plaintiff was an informant. At no time did Plaintiff reveal his status  
23 as a confidential informant for the FBI prior to Defendants' above-  
24 described acts.

25 137. As a direct and proximate result of the actions of  
26 Defendants, a crisis atmosphere surrounded Plaintiff. Inmates  
27 stayed away from Plaintiff and a substantial number of inmates  
28 accosted, threatened, attacked and tried to kill Mr. Monteilh.

1       138. As a direct and proximate result of the above-described  
2 conduct, the Plaintiff was subject to being accosted, threatened,  
3 attacked and attempted murder, causing physical injuries, scars,  
4 severe embarrassment, humiliation, mental anguish and  
5 psychological and emotional distress.

6       139. As a further direct and proximate result of the  
7 above-described conduct, Plaintiff expressed thoughts of suicide  
8 and at times was severely depressed.

9       140. As a further direct and proximate result of the  
10 above-described conduct, Plaintiff has suffered the deprivation of  
11 precious rights, privileges and immunities under the United States  
12 Constitution and the Constitution of the State of California, to his  
13 great detriment and loss.

14       141. The actions of Defendants, in releasing private and  
15 confidential information about Mr. Monteilh's status as a  
16 confidential informant, was done pursuant to the policy, practice or  
17 custom of the Defendants concerning interrogations and  
18 investigations, which permitted, condoned and encouraged the  
19 release of information which was clearly confidential and private.

20       142. As further evidence of said policy, Defendants, along with  
21 and at the direction of the City of Irvine Police Chief Maggard have  
22 intentionally, willfully or negligently failed to properly train, instruct  
23 and discipline Irvine Police Department officers, Detective Carr and  
24 other employees, including but not limited to the following:

- 25           a. failure to properly train and instruct police officers  
26               and other employees in the rights of persons,  
27               including Plaintiff, and the protection of confidential  
28               information;

- b. failure to adequately investigate allegations of improper police and other employees conduct;
- c. failure to discipline, prosecute or remove police officers and other employees who exceed their authority and violate the rights of persons, including Plaintiff.

143. The actions of Defendants, acting under color of state and local law, custom and usage, deprived Plaintiff of his rights, privileges, and immunities under the laws and Constitution of the United States and the Constitution of the State of California, and in particular, of his right of privacy.

144. By these actions, Defendants have jointly and severally deprived Plaintiff of his rights under the first, fourth and fourteenth amendments to the United States Constitution, in violation of 42 U.S.C. §§ 1983 and 1988.

### **THIRD CAUSE OF ACTION**

#### **VIOLATION OF CIVIL RIGHTS [*Bivens*]**

#### **AGAINST DEFENDANT BARBARA WALLS, IRVINE POLICE DEPARTMENT, RONALD CARR AND DOES 31 - 60**

145. Plaintiff incorporates the above stated paragraphs numbered 1 - 127, 128 - 143, and each of them, as though set forth in their entirety herein.

146. Plaintiff is further informed, believes and based thereon alleges that Defendants Irvine Police Department and Detective Ronald Carr were concurrently working as members of the Orange County Joint Terrorism Task Force and were federally deputized at all times mentioned herein.

147. The actions of Defendant Barbara Walls, acting under

1 color of federal law, and Defendants Irvine Police Department and  
 2 Ronald Carr, acting under color of federal and state law,  
 3 constituted an invasion of plaintiff's right to be secure in his person  
 4 against unreasonable seizures as guaranteed by the Fourth and  
 5 Fourteenth Amendments to the United States Constitution, an  
 6 invasion of plaintiff's right to be free from deprivation of his liberty  
 7 without due process of law as guaranteed by the Fifth and  
 8 Fourteenth Amendments to the United States Constitution, a  
 9 deprivation of the plaintiff's right to the assistance of counsel as  
 10 guaranteed by the Sixth and Fourteenth Amendments to the United  
 11 States Constitution, and an invasion of plaintiff's right to privacy as  
 12 guaranteed by the Ninth Amendment to the United States  
 13 Constitution.

14 148. The aforesaid actions of defendants further constituted  
 15 an invasion of his privacy and abuse of process, all in violation of  
 16 the law of the State of California where the incidents occurred.

17 149. Defendants Barbara Walls, Ron Carr, the Irvine Police  
 18 Department and DOES 31 - 60 are liable to Mr. Monteilh for  
 19 damages for his physical injuries, mental suffering and emotional  
 20 distress injuries and the deprivation of his rights as prayed for  
 21 below.

#### 22 **FOURTH CAUSE OF ACTION**

#### 23 **FTCA - 28 USC § 2679, et seq. [NEGLIGENCE]**

#### 24 **AGAINST DEFENDANTS UNITED STATES AND DOES 61 - 100**

25 150. Plaintiff incorporates all the above stated paragraphs,  
 26 1 - 121, as though set forth in their entirety herein.

27 151. The Federal Tort Claim Act (FTCA) authorizes recovery  
 28 for personal injury, death, or property damage caused by negligent



1 federal government employees acting within the scope of their  
2 federal employment.

3 152. The liability of the United States and DOES 61 - 100 is  
4 determined by the law of the state of California pursuant to 28 USC  
5 § 2679.

6 153. The negligence claims of Craig F. Monteilh against the  
7 United States and DOES 61 - 100 are allowed pursuant to 28  
8 U.S.C. § 2680.

9 154. Plaintiff Craig F. Monteilh seeks the remedy of money  
10 damages for the negligent acts and/or omissions of federal  
11 government employees as set forth in the above-stated paragraphs.

12 155. Plaintiff Craig F. Monteilh presented an administrative  
13 tort claim to the FBI, within two years of accrual of the claim, for  
14 adjudication before filing this suit in federal court.

15 156. In the administrative tort claim presented to the FBI,  
16 Plaintiff Craig F. Monteilh demanded \$10,000,000, the same  
17 amount demanded herein.

18 157. Plaintiff Craig F. Monteilh has filed the instant Complaint  
19 within six months of the agency's denial of the administrative tort  
20 claim.

21 158. Defendant United States, the FBI and DOES 61 - 100  
22 were aware Plaintiff Craig F. Monteilh was working as an informant  
23 for the FBI.

24 159. Based upon the five (5) year agency relationship between  
25 the FBI and Plaintiff Craig F. Monteilh, the signed Federal  
26 documents describing the agency relationship, the guidelines which  
27 the FBI is required to follow concerning its confidential informants,  
28 and the representation made by the FBI concerning its duties to



1 Plaintiff Craig F. Monteilh for his work as an informant, Defendant  
2 United States, the FBI and DOES 61 - 100 had a legal duty to  
3 exercise reasonable care in the handling of Plaintiff Craig F.  
4 Monteilh as an informant.

5 160. Defendant United States, the FBI and DOES 61 - 100, in  
6 breach of their duty of care to Mr. Monteilh, caused his  
7 unconsented rendition from the Orange County Jail to a foreign  
8 location, as set forth above.

9 161. Defendant United States, the FBI and DOES 61 - 100, in  
10 breach of their duty of care to Mr. Monteilh, caused him, under  
11 duress, to submit to a polygraph as described above.

12 162. Defendant United States, the FBI and DOES 61 - 100, in  
13 breach of their duty of care to Mr. Monteilh, caused his status as  
14 an informant to be revealed to terrorists and other inmates at the  
15 Orange County Jail, Wasco State Prison and Coalinga Community  
16 Correctional Facility.

17 163. Until Defendants made their statements, there was no  
18 information in the jail or prison, rumor or otherwise, to suggest that  
19 Plaintiff was an informant. At no time did Plaintiff reveal his status  
20 as a confidential informant for the FBI prior to Defendants' above-  
21 described acts.

22 164. As a direct and proximate result of the actions of  
23 Defendant United States, the FBI and DOES 61 - 100, a crisis  
24 atmosphere surrounded Plaintiff whereby many inmates stayed  
25 away from Plaintiff and a substantial number of inmates accosted,  
26 threatened, attacked and tried to kill Mr. Monteilh.

27 165. As a direct and proximate result of the actions of  
28 Defendant United States, the FBI and DOES 61 - 100, the Plaintiff

1 was subject to being accosted, threatened, attacked and attempted  
2 murder, causing physical injuries, scars, severe embarrassment,  
3 humiliation, mental anguish and psychological and emotional  
4 distress.

5 166. As a further direct and proximate result of the  
6 above-described actions of Defendant United States, the FBI and  
7 DOES 61 - 100, Plaintiff expressed thoughts of suicide and at times  
8 was severely depressed.

9 167. The actions of Defendants, in releasing private and  
10 confidential information about Mr. Monteilh's status as a  
11 confidential informant, was done pursuant to the policy, practice or  
12 custom of the Defendants concerning interrogations and  
13 investigations, which permitted, condoned and encouraged the  
14 release of information which was clearly confidential and private.

15 168. Defendant United States, the FBI and DOES 61 - 100, in  
16 breach of their duty of care to Mr. Monteilh, caused him to be  
17 removed from protective custody and suffer further physical  
18 injuries, mental suffering and emotional distress injuries.

19 169. Defendant United States, the FBI and DOES 61 - 100, in  
20 breach of their duty of care to Mr. Monteilh caused the foreseeable  
21 harm described in the preceding paragraphs, including but not  
22 limited being identified in jail and prison as an informant or snitch,  
23 being placed in general population in prison, being removed from  
24 protective custody and placed back into general population, being  
25 attacked and stabbed, and living in fear for his life.

26 170. The acts and omissions of Defendant United States, the  
27 FBI and DOES 61 - 100, in breach of their duty of care to Mr.  
28 Monteilh were the proximate and legal cause of damages to Plaintiff

1 Craig F. Monteilh, reason by which Defendants must to compensate  
2 all the damages they have caused, including but not limited to  
3 damages for physical injuries, mental suffering, emotional distress,  
4 lost wages, and economic damages.

5 171. Defendants FBI and DOES 61 - 100 are liable to Mr.  
6 Monteilh for damages in excess of \$10,000,000 as prayed for below.

7 **FIFTH CAUSE OF ACTION**

8 **FTCA - 28 USC § 2679, et seq.**

9 **[NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS]**

10 **AGAINST DEFENDANTS UNITED STATES AND DOES 61 - 100**

11 172. Plaintiff incorporates all the above stated paragraphs,  
12 1 - 121, as though set forth in their entirety herein.

13 173. The Federal Tort Claim Act (FTCA) authorizes recovery  
14 for personal injury, death, or property damage caused by negligent  
15 federal government employees acting within the scope of their  
16 federal employment.

17 174. The liability of the United States and DOES 61 - 100 is  
18 determined by the law of the state of California pursuant to 28 USC  
19 § 2679.

20 175. The negligence claims of Craig F. Monteilh against the  
21 United States and DOES 61 - 100 are allowed pursuant to 28  
22 U.S.C. § 2680.

23 176. Plaintiff Craig F. Monteilh seeks the remedy of money  
24 damages for the negligent acts and/or omissions of federal  
25 government employees as set forth in the above-stated paragraphs.

26 177. Plaintiff Craig F. Monteilh presented an administrative  
27 tort claim to the FBI, within two years of accrual of the claim, for  
28 adjudication before filing this suit in federal court.

1 178. In the administrative tort claim presented to the FBI,  
2 Plaintiff Craig F. Monteilh demanded \$10,000,000, the same  
3 amount demanded herein.

4 179. Plaintiff Craig F. Monteilh has filed the instant Complaint  
5 within six months of the agency's denial of the administrative tort  
6 claim.

7 180. Defendant United States, the FBI and DOES 61 - 100  
8 were aware Plaintiff Craig F. Monteilh was working as an informant  
9 for the FBI.

10 181. Based upon the five (5) year agency relationship between  
11 the FBI and Plaintiff Craig F. Monteilh, the signed Federal  
12 documents describing the agency relationship, the guidelines which  
13 the FBI is required to follow concerning its confidential informants,  
14 and the representation made by the FBI concerning its duties to  
15 Plaintiff Craig F. Monteilh for his work as an informant, Defendant  
16 United States, the FBI and DOES 61 - 100 had a legal duty to  
17 exercise reasonable care in the handling of Plaintiff Craig F.  
18 Monteilh as an informant.

19 182. Defendant United States, the FBI and DOES 61 - 100, in  
20 breach of their duty of care to Mr. Monteilh, caused him under  
21 duress to engage in illegal activities including but not limited to  
22 racial profiling, religious profiling, instigating extremist rhetoric to  
23 entrap Muslims, blackmailing Muslims to become informants, Mr.  
24 Monteilh being armed to attend mosques, Mr. Monteilh being told  
25 to engage in sexual relations with Muslim women despite being  
26 married, and the misuse of surveillance devices in the Islamic  
27 community and warrantless wiretapping. This continued  
28 mishandling of Mr. Monteilh as a confidential informant caused

1 and exacerbated the emotional distress and mental suffering of Mr.  
2 Monteilh.

3 183. Defendant United States, the FBI and DOES 61 - 100, in  
4 breach of their duty of care to Mr. Monteilh, caused him under  
5 duress to keep his audio and visual recording equipment on at all  
6 times, including the time he spent with Muslim women on dates,  
7 discussing their private and personal thoughts, and while engaged  
8 in various sexual acts and states of coitus. Mr. Monteilh suffered  
9 emotional distress and mental anguish because he was informed  
10 that the audio was listened to and the videos watched by many FBI  
11 agents and analysts on a daily basis, who had thoughts and  
12 comments about the sexual prowess of Mr. Monteilh and the  
13 Muslim women. Again, Mr. Monteilh followed the orders under  
14 duress, and these actions, orders and tasks caused him severe  
15 emotional distress and mental anguish which continues to this day.

16 Defendant United States, the FBI and DOES 61 - 100, in  
17 breach of their duty of care to Mr. Monteilh, caused his  
18 unconsented rendition from the Orange County Jail to a foreign  
19 location, as set forth above.

20 184. Defendant United States, the FBI and DOES 61 - 100, in  
21 breach of their duty of care to Mr. Monteilh, caused him, under  
22 duress, to submit to a polygraph as described above.

23 185. Defendant United States, the FBI and DOES 61 - 100, in  
24 breach of their duty of care to Mr. Monteilh, caused his status as  
25 an informant to be revealed to terrorists and other inmates at the  
26 Orange County Jail, Wasco State Prison and Coalinga Community  
27 Correctional Facility.

28 186. Until Defendants made their statements, there was no

1 information in the jail or prison, rumor or otherwise, to suggest that  
2 Plaintiff was an informant. At no time did Plaintiff reveal his status  
3 as a confidential informant for the FBI prior to Defendants' above-  
4 described acts.

5 187. As a direct and proximate result of the actions of  
6 Defendant United States, the FBI and DOES 61 - 100, a crisis  
7 atmosphere surrounded Plaintiff whereby many inmates stayed  
8 away from Plaintiff and a substantial number of inmates accosted,  
9 threatened, attacked and tried to kill Mr. Monteilh.

10 188. As a direct and proximate result of the actions of  
11 Defendant United States, the FBI and DOES 61 - 100, the Plaintiff  
12 was subject to being accosted, threatened, attacked and attempted  
13 murder, causing physical injuries, scars, severe embarrassment,  
14 humiliation, mental anguish and psychological and emotional  
15 distress.

16 189. As a further direct and proximate result of the  
17 above-described actions of Defendant United States, the FBI and  
18 DOES 61 - 100, Plaintiff expressed thoughts of suicide and at times  
19 was severely depressed.

20 190. The actions of Defendants, in releasing private and  
21 confidential information about Mr. Monteilh's status as a  
22 confidential informant, was done pursuant to the policy, practice or  
23 custom of the Defendants concerning interrogations and  
24 investigations, which permitted, condoned and encouraged the  
25 release of information which was clearly confidential and private.

26 191. Defendant United States, the FBI and DOES 61 - 100, in  
27 breach of their duty of care to Mr. Monteilh, caused him to be  
28 removed from protective custody and suffer further physical



1 injuries, mental suffering and emotional distress injuries.

2 192. Defendant United States, the FBI and DOES 61 - 100, in  
3 breach of their duty of care to Mr. Monteilh caused the foreseeable  
4 harm described in the preceding paragraphs, including but not  
5 limited being identified in jail and prison as an informant or snitch,  
6 being placed in general population in prison, being removed from  
7 protective custody and placed back into general population, being  
8 attacked and stabbed, and living in fear for his life.

9 193. The acts and omissions of Defendant United States, the  
10 FBI and DOES 61 - 100, in breach of their duty of care to Mr.  
11 Monteilh were the proximate and legal cause of damages to Plaintiff  
12 Craig F. Monteilh, reason by which Defendants must to compensate  
13 all the damages they have caused, including but not limited to  
14 damages for physical injuries, mental suffering, emotional distress,  
15 lost wages, and economic damages.

16 194. Defendants FBI and DOES 61 - 100 are liable to Mr.  
17 Monteilh for damages in excess of \$10,000,000 as prayed for below

18 **PRAYER**

19 WHEREFORE, Plaintiff Craig F. Monteilh prays for judgment  
20 against Defendants, and each of them, as follows:

21 **FIRST CAUSE OF ACTION:**

- 22 1. For general damages in a sum according to proof at trial in  
23 excess of \$75,000;  
24 2. For special damages in a sum according to proof at trial in  
25 excess of \$75,000;  
26 3. For economic damages in a sum according to proof at trial in  
27 excess of \$75,000;  
28 4. For consequential damages in a sum according to proof at trial



1 in excess of \$75,000;

2 5. For attorneys' fees per statute;

3 6. For such other relief as the Court deems just and proper.

4 **SECOND CAUSE OF ACTION:**

5 7. For general damages in a sum according to proof at trial in  
6 excess of \$75,000;

7 8. For statutory damages in a sum according to proof at trial in  
8 excess of \$75,000;

9 9. For economic damages in a sum according to proof at trial in  
10 excess of \$75,000;

11 10. For consequential damages in a sum according to proof at trial  
12 in excess of \$75,000;

13 11. For attorneys' fees per statute;

14 12. For such other relief as the Court deems just and proper.

15 **THIRD CAUSE OF ACTION:**

16 13. For general damages in a sum according to proof at trial in  
17 excess of \$75,000;

18 14. For statutory damages in a sum according to proof at trial in  
19 excess of \$75,000;

20 15. For economic damages in a sum according to proof at trial in  
21 excess of \$75,000;

22 16. For consequential damages in a sum according to proof at trial  
23 in excess of \$75,000;

24 17. For attorneys' fees per statute;

25 **FOURTH CAUSE OF ACTION**

26 18. For such other relief as the Court deems just and proper.

27 19. For general damages in excess of \$10,000,000, according to  
28 proof.

20. For economic damages in a sum according to proof at trial;
21. For consequential damages in a sum according to proof at trial;
22. For attorneys' fees per statute;
23. For such other relief as the Court deems just and proper.

**FIFTH CAUSE OF ACTION**

24. For such other relief as the Court deems just and proper.
25. For general damages in excess of \$10,000,000, according to proof.


26. For economic damages in a sum according to proof at trial;
27. For consequential damages in a sum according to proof at trial;
28. For attorneys' fees per statute;

**ON ALL CAUSES OF ACTION**

29. Costs of suit;
30. Pre and/or post judgment interest at the maximum legal rate;
31. For such other relief as the Court deems just and proper.

WOODS & KROLIKOWSKI

Dated: September 2, 2010



Adam J. Krolkowski, Esq.  
For Plaintiff Craig F. Monteilh

**EXHIBIT A**

To: Special Agent Paul Allen

From: "Oracle" (Farouk Aziz)

Date: March 14, 2007

RE: Monthly Expenditures (plus 20%)

Agent Allen,

Since the last monthly expenditure report itemized a few months ago my expenses have increased. There are documents I omitted due to my inexperience and expedience to submit receipts to you. Sir, the 20% increase I'm asking is for expenses for my family (wife; children, ages 15, 16, 19). The monthly compensation I now receive and the enclosed (revised) does not cover expenses for my family.

This letter is not a demand, but a request, that the operation continue to be effective and in the interest of The United States. At the risk of the perception of arrogance I think you (the Bureau) and I are working well together to achieve the safeguarding of this great country.

In closing, I sincerely thank you for your efforts in regards to my impending early discharge from probation. I thank you also for your example of integrity throughout this operation as well as the wise and careful direction you're providing. It is my earnest hope that we continue to work together to bring to justice the enemies of this nation both foreign and domestic.

Cordially,

"Oracle" (Farouk Aziz)

**EXHIBIT B**



## Los Angeles Times

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FEATURED ARTICLES

California Briefing / Santa Ana  
March 3, 2009

Suit by alleged informant says FBI  
endangered his life  
January 23, 2010

FBI monitored members of O.C.  
mosques at gyms, alleged...  
April 28, 2009

## Brother-in-law of Al Qaeda operative granted bail

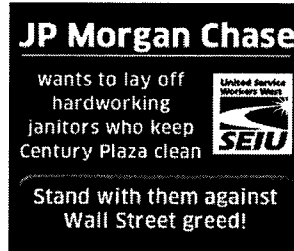
*The Afghan-born O.C. resident was arrested for allegedly omitting facts in his citizenship application. His sister's husband is said to be Osama bin Laden's security coordinator.*

February 25, 2009 | Christine Hanley

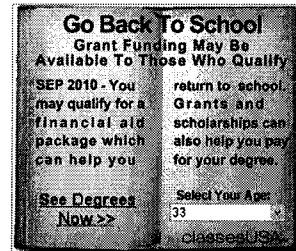
Over the strong objections of the government, a federal judge in Orange County agreed to grant bail Tuesday for the brother-in-law of Osama bin Laden's alleged security coordinator in a case that is stirring debate about the FBI's use of informants.

Ahmadullah Sais Niazi, a Tustin man of Afghan origin who earned his U.S. citizenship five years ago, would be electronically monitored and confined to his home if his family can guarantee \$500,000 bail. If released, he would also be restricted from traveling outside Southern California and must surrender his passport and other travel documents.

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U.S. Magistrate Arthur Nakazato said he considered not granting bail and that he was troubled by an FBI agent's testimony that Niazi considered Bin Laden "an angel," planned to blow up buildings and showed sympathy to at least one terrorist organization.

Yet, the judge said a person cannot choose his relatives and that Niazi had not tried to flee despite knowing he had been under investigation for at least a year.

Niazi, arrested at his suburban home last week, is scheduled to be arraigned next month on suspicion of perjury, naturalization fraud, misuse of a passport obtained by fraud and making a false statement to a federal agency. He is accused of lying during his citizenship process about using aliases and failing to disclose that his brother-in-law is allegedly a security coordinator for Bin Laden and that he took a trip to Pakistan to see his brother-in-law.

In court Tuesday, FBI Special Agent Thomas J. Ropel III acknowledged that Niazi and others at his mosque did come forward to turn in a convert who "was scary to them" because he repeatedly talked about jihad and other terrorist activities. But Ropel revealed that the convert was an informant and that the FBI believed Niazi may have realized this and filed the report to protect himself.

During conversations with the informant -- some of which were secretly recorded -- Niazi initiated discussions about jihad, obtaining weapons, blowing up buildings and sending money overseas to the Afghan mujahedin, according to Ropel. Niazi also taught the informant Arabic and was preparing to send the informant to terrorist training camps in Yemen or Pakistan, Ropel said.

Shakeel Syed, executive director of the Islamic Shura Council of Southern California, said he was not surprised to learn the convert was an informant, "but glad to hear it in a court of law."

Ads by Google



1 | 2 | Next

**EXHIBIT C**



# Award Certificate



*Presented to*

Farouk Aziz

*For successfully completing the course in Arabic Language Program held at:*

ICOI

Islamic Center of Irvine

2 Truman

Irvine Ca 92620

(949) 786-4264

*This award is for the achievement of completing the Arabic course that dealt with reading, writing, grammar and vocabulary. This certificate is a representation of all your success in completing the course.*

*Signature*  
A handwritten signature in dark ink, appearing to read 'Farouk Aziz', written over a horizontal line.

*Date*  
3/30/2007

**EXHIBIT D**

Priority of Unity → "S-Ean Al Niah"

"Fitnah" rules of stopping conflict

Surah 2 ✓ 191 + 192

Surah 8 ✓ 39

Rules of Engagement

Surah 5 ✓ 33

✓ 34

✓ 55

- Hadith

- Fiqh

**EXHIBIT E**

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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 COUNTY OF LOS ANGELES - WEST COVINA BRANCH  
10 DEPARTMENT 8 HON. ABRAHAM KHAN, JUDGE

11  
12 THE PEOPLE OF THE STATE OF CALIFORNIA,  
13 PLAINTIFF,

14 VS.

15 CRAIG F. MONTEILH,

16 DEFENDANT.

)  
)  
) NO. KA059040  
) PROBATION TERMINATION  
)  
)  
)

17  
18 WEST COVINA, CALIFORNIA; AUGUST 20, 2008

19 2:40 P.M.

20 UPON THE ABOVE DATE, THE DEFENDANT NOT  
21 BEING PRESENT IN COURT AND NOT REPRESENTED BY  
22 COUNSEL; THE PEOPLE BEING REPRESENTED BY LINDA  
23 CHILSTROM, DEPUTY DISTRICT ATTORNEY OF  
24 LOS ANGELES COUNTY, THE FOLLOWING PROCEEDINGS  
25 WERE HELD:

26 (DIANA WHITESEL, CSR #6287, OFFICIAL REPORTER.)  
27  
28

1 CASE NUMBER: KA059040  
2 CASE NAME: PEOPLE OF THE STATE OF CALIFORNIA  
3 VS. CRAIG MONTEILH  
4 WEST COVINA, CALIFORNIA AUGUST 20, 2007  
5 DEPARTMENT NO. 8 HON. ABRAHAM KHAN, JUDGE  
6 REPORTER: DIANA WHITESEL, CSR NO. 6287  
7 TIME: 2:40 P.M.

8 APPEARANCES:

9 (LINDA CHILSTROM, DEPUTY DISTRICT ATTORNEY  
10 OF LOS ANGELES COUNTY.)

11 -000-

12  
13 THE CLERK: PEOPLE ARE GOING TO MOVE TO MAKE A MOTION TO  
14 TERMINATE PROBATION.

15 THE COURT: CRAIG F. MONTEILH. KA059040.

16 MS. CHILSTROM: YOUR HONOR, I HAVE BEEN INFORMED BY  
17 MR. SATO OF MY OFFICE THAT HEAD DEPUTY SCOTT CARBAUGH HAS  
18 REQUESTED THAT THIS CASE -- THAT THE PROBATION IN THIS MATTER BE  
19 TERMINATED.

20 THE COURT: CAN YOU GIVE ME A REASON?

21 MS. CHILSTROM: I DON'T KNOW A REASON. I WAS JUST TOLD IT  
22 WAS UPON THE REQUEST OF THE HEAD DEPUTY.

23 THE COURT: I'M GOING TO CONTINUE THIS UNTIL TOMORROW  
24 UNTIL YOU CAN GIVE ME A REASON. I USUALLY DON'T TERMINATE  
25 PROBATION UNLESS THERE IS SOMETHING I CAN RELY ON.

26 MS. CHILSTROM: NOT A PROBLEM.

27 I TAKE IT, WE'RE WAITING FOR MR. LINDARS.

28 MAY I MAKE A QUICK CALL?

(PAUSE IN PROCEEDINGS.)

MS. CHILSTROM: YOUR HONOR, COULD THE COURT RECALL THE LAST CASE?

THE COURT: OKAY. WE'RE STILL ON THE RECORD IN CRAIG F. MONTEILH.

MS. CHILSTROM: YOUR HONOR, I JUST SPOKE WITH MR. SATO. INITIALLY I WAS JUST TOLD THAT THE HEAD DEPUTY WANTED THE PROBATION TERMINATED.

APPARENTLY THE DEFENDANT IS WORKING WITH F.B.I. AGENT KEVIN ARMSTRONG. HE HAS GIVEN AGENT ARMSTRONG VERY, VERY VALUABLE INFORMATION THAT HAS PROVEN TO BE ESSENTIAL IN AN F.B.I. PROSECUTION. IT WAS AGENT ARMSTRONG THAT CONTACTED THE HEAD DEPUTY AND THE HEAD DEPUTY INSTRUCTED US TO ASK FOR TERMINATION.

THE COURT: WELL, OKAY. I KNOW THE DEFENDANT HIMSELF WAS HERE IN APRIL AND HAD REQUESTED EARLY TERMINATION. AND I BELIEVE ON RECOMMENDATION OF THE DISTRICT ATTORNEY, I DENIED HIS REQUEST. AND THAT WAS BACK IN APRIL. THAT'S WHY I WANTED TO FIND OUT WHAT THE REASONS WHY WERE AT THIS TIME BECAUSE IT'S ONLY BEEN FOUR MONTHS AFTER.

BUT OTHERWISE HE'S PAID HIS FINANCIAL OBLIGATION AND HE'S OTHERWISE BEEN ON PROBATION -- HOW LONG HAS HE BEEN ON? IT'S KA059040. IS THAT '03?

MS. CHILSTROM: IT IS '03, YOUR HONOR.

THE CLERK: YES, YOUR HONOR, SINCE MAY 5, '03.

THE COURT: ALL RIGHT. APPARENTLY HE'S HAD PROBATION EXTENDED. IT MAY HAVE BEEN BECAUSE OF A WARRANT THAT HAD BEEN ISSUED WHICH IT WOULD OTHERWISE TOLL THE RUNNING OF HIS PERIOD.



1 I'LL GRANT THE REQUEST FOR THE REASONS STATED.

2 MS. CHILSTROM: THANK YOU.

3  
4 (THE PROCEEDINGS IN THE ABOVE-ENTITLED  
5 MATTER WERE ADJOURNED.)  
6

7 -000-  
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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES - WEST COVINA BRANCH

DEPARTMENT 8

HON. ABRAHAM KHAN, JUDGE

THE PEOPLE OF THE STATE OF CALIFORNIA,

PLAINTIFF,

VS.

CRAIG F. MONTEILH,

DEFENDANT.

NO. KA059040

REPORTER'S  
CERTIFICATE

I, DIANA WHITESEL, CSR NO. 6287, OFFICIAL REPORTER OF THE  
SUPERIOR COURT OF THE STATE OF CALIFORNIA, FOR THE COUNTY OF  
LOS ANGELES, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND  
CORRECT TRANSCRIPT OF ALL OF THE ADMONITIONS TAKEN AT THE TIME OF  
THE TAKING OF THE PLEA AND PRONOUNCEMENT OF SENTENCE IN THE  
ABOVE-ENTITLED CAUSE; AND FURTHER THAT THE VIEWS AND  
RECOMMENDATIONS OF THE COURT, IF ANY, ARE CONTAINED THEREIN  
PURSUANT TO SECTION 1203.01 OF THE PENAL CODE THE ABOVE-ENTITLED  
MATTER.

DATED THE DECEMBER 2, 2009

 , CSR NO. 6287  
DIANA WHITESEL, OFFICIAL REPORTER

**EXHIBIT F**



Print - Close Window

Date: Sat, 22 Sep 2007 14:27:32 -0700  
From: "Farouk al-Aziz" <cfmonteilh@cox.net>  
To: [REDACTED]  
Subject: Fwd: Re: Request for Interview

Date: Sat, 22 Sep 2007 14:23:51 -0700  
From: Farouk al-Aziz <cfmonteilh@cox.net>  
To: [REDACTED]  
Subject: Re: Request for Interview

Mr. [REDACTED]

I am responding to your message requesting an interview. I regret that it has taken some time to contact you. I would like to speak to you in regards to potential terrorist activity at The Islamic Center of Irvine and various mosques throughout the area. This potential terrorist activity focuses of the recruitment and indoctrinization of young and new muslims. I have proof of these allegations. If you are not interested I will find a white journalist who is not influenced by CAIR.

Cordially,  
Farouk al-Aziz

----- " [REDACTED] " wrote:

Craig,

I wish you would consider talking to me. There might be a story here or there might not be. Apparently, your rhetoric has attracted attention in the Muslim community and caused some to wonder about your motives and if you're working for the FBI. I don't have to tell you that there is a level of paranoia among Muslims these days about FBI surveillance of their community, particularly at the Irvine mosque.

Last year, I covered a meeting at the mosque where Muslims met with the head of the FBI's Los Angeles office. These concerns about FBI surveillance of the mosque in particular and the community in general were discussed at this meeting. I think this explains why questions are being raised about you. I'm told that these questions arose after some mosque members heard you comment about Islam in the world today. Perhaps there is no reason for the community to be concerned. Perhaps it's just their paranoia. But I can't get to the bottom of this unless I speak with you and hear your side of the story. All of this could very well be a misunderstanding.

De#07-14569

So, please give me a call. I'm not assuming that anything is true unless I can confirm it with facts. And you can help me in this endeavor by talking to me.

[REDACTED]

[REDACTED]  
Los Angeles Times  
[REDACTED]

**EXHIBIT G**

**FBI FACSIMILE****COVER SHEET****PRECEDENCE**

- ☒ Immediate  
☐ Priority  
☐ Routine

**CLASSIFICATION**

- ☐ Top Secret  
☐ Secret  
☐ Confidential  
☐ Sensitive  
☒ Unclassified

Time Transmitted: 6:20pm EST  
Sender's Initials: HRF  
Number of Pages: 4  
(including cover sheet)

To: Woods and Krolikowski  
Name of Office

Date: 7/20/2010

Facsimile Number: (949) 269-1868

Attn: Adam J. Krolikowski, Esq.  
Name Room Telephone

From: Henry R. Felix, Associate General Counsel  
Name of Office

Subject: Craig Monteilh [Confidential Communication]  
Compliance with NDA Notice Requirement

Special Handling Instructions: \_\_\_\_\_

Originator's Name: Henry R. Felix Telephone: 202-220-9328

Originator's Facsimile Number: 202-220-9341

Approved: \_\_\_\_\_

Brief Description of Communication Faxed: Letter in Response to July 16, 2010 Letter  
from Adam J. Krolikowski

**WARNING**

Information attached to the cover sheet is U.S. Government Property. If you are not the intended recipient of this information, disclosure, reproduction, distribution, or use of this information is prohibited (18.U.S.C. § 641). Please notify the originator or the local FBI Office immediately to arrange for proper disposition.





U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535-0001

July 20, 2010

Adam J. Krolikowski, Esq.  
Woods & Krolikowski  
1200 Main Street, Suite H  
Irvine, CA 92614

*Via Facsimile to 949-269-1868*

RE: Craig Montielh [Confidential Communication]  
Compliance with NDA Notice Requirement

Dear Mr. Krolikowski:

This office is in receipt of your letter to Steven Kramer dated July 16, 2010. In the future, please address all correspondence regarding this matter to my attention at the address listed below.

First, you state in this letter "that after multiple disclosures over the course of more than a year, not a single response has been received." On June 16, 2010, I sent a letter to you in response to your letter dated June 15, 2010. I have enclosed a copy of this letter, in the event that you did not receive it.

Second, in your July 16th letter you state that Mr. Montielh has "been asked by co-counsel, Peter Bibring, Esq. of the ACLU of Southern California, to obtain copies of audio and video recordings made of Detective Ronald Carr at the direction of Special Agent Paul Allen during the time frame of Operation Flex, on or about March 7, 2007." In advance of the disclosure of these purported recordings to any individual, please provide us with any information concerning these recordings that is/or may be covered by the Non-Disclosure Agreement. The FBI maintains that all the obligations created under the Non-Disclosure

Agreement remain in effect. Notification by Mr. Monteilh that he intends to disclose information covered by this agreement does not limit or nullify the obligations that he accepted by signing this agreement.

Sincerely,

A handwritten signature in black ink, appearing to read "H. R. Felix", written over a horizontal line.

Henry R. Felix  
Associate General Counsel  
Civil Litigation Unit II  
Office of the General Counsel  
Federal Bureau of Investigation  
PA 400  
935 Pennsylvania Ave., NW  
Washington, D.C. 20535  
Phone: 202-220-9328  
Fax: 202-220-9341



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535-0001

June 16, 2010

Adam J. Krolikowski, Esq.  
Woods & Krolikowski  
1200 Main Street, Suite H  
Irvine, CA 92614

RE: Craig Montielh [Confidential Communication]  
Compliance with NDA Notice Requirement

Dear Mr. Krolikowski:

This office is in receipt of your letter to Steven Kramer dated June 15, 2010. In your letter you state that Mr. Montielh has "been asked to review and sign declarations prepared by the ACLU for a lawsuit they will be filing concerning civil rights violations by the FBI within the Islamic Community during the time period of Operation Flex." I am aware that you have sent previous letters to the FBI concerning the Non-Disclosure Agreement that Mr. Montielh signed on October 5, 2007, however, this is the first letter in which you reference a particular FBI operation or investigation. In advance of June 17, 2010, please provide us with any information that you intend to include in these declarations that is/or may be covered by the Non-Disclosure Agreement. The FBI maintains that all the obligations created under the Non-Disclosure Agreement remain in effect. Notification by Mr. Montielh that he intends to disclose information covered by this agreement does not limit or nullify the obligations that he accepted by signing this agreement.

Sincerely,

Henry R. Felix  
Associate General Counsel  
Civil Litigation Unit II  
Office of the General Counsel  
Federal Bureau of Investigation  
PA 400  
935 Pennsylvania Ave., NW  
Washington, D.C. 20535  
Phone: 202-220-9328  
Fax: 202-220-9355

**EXHIBIT H**



**EXHIBIT I**

RECEIVED  
2 DEC 03 2007

3  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF ORANGE  
HARBOR JUSTICE CENTER-NB

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF ORANGE, CENTRAL JUSTICE CENTER

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

vs

CRAIG FREDERICK MONTEILH DOB: 07/25/62

Defendant

CASE NO. IPD DR#07-01931  
OCDA 07F10440

ORDER REQUIRING PENAL  
CODE SECTION 1275.1  
HEARING AND  
NOTIFICATION OF THE  
DISTRICT ATTORNEY

Booking No.

I, Det. Ron Carr, declares:

1. I am a Peace Officer in the State of California.

2. Declarant is requesting a warrant for two counts of PC 487(a) and one count of PC 664/487(a) for the above-named defendant.

3. The bail amount of \$157,000, set forth in the schedule of bail is insufficient to assure defendant's appearance, in that I believe the source of any consideration or indemnification would be feloniously obtained for the reasons below and request a Penal Code section 1275.1 (b) and (c) hold on the release of the defendant from custody be ordered and any hearing pursuant to 1275.1 (c) and (f) at which the deputy district attorney assigned to this matter be present.

4. The facts and circumstances in support of this motion are: defendant is without obvious means of employment; defendant obtained all monies

#1118  
feloniously from the victims by, trick or device;  
defendant victimized two victims and attempted to  
victimize another; defendant has a previous record  
of grand theft; defendant has no property in his  
name and resides in a rental property.

5. I recommend a Penal Code section 1275 Order and  
bail in the amount of \$250,000.00.

6. I respectfully request a hold on the release of  
the defendant from custody be ordered pursuant to  
Penal Code section 1275.1 (b).

7. I respectfully request that the assigned deputy  
district attorney to this matter, Yvette Patko be  
present at any hearing pursuant to Penal Code section  
1275.1 (c) and (f).

8. I declare under penalty of perjury that the  
foregoing is true and correct.

Executed at

on 12-3-2007.



Declarant



Agency

Phone Number

949-724-7135

949-795-2678



**EXHIBIT J**

REQUEST FOR NOTIFICATION OF RELEASE OF INMATE

INMATE NAME: MONTIELH, CRAIG

INMATE BKG: 2425/40

REQUESTED BY: AGENT  
TRACY HANLON

AGENCY: F. B. I.

WORK PHONE:

(714) 542-8825

PAGER/CELL:



**EXHIBIT K**

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS AND REHABILITATION  
CDC 128-B (6-87)

**NAME and NUMBER: INMATE MONTEILH G-17056**

On Monday, April 28, 2008, INMATE MONTEILH advised custody staff that he was in fear for his personal safety if he remained on Facility C or H. INMATE MONTEILH stated that he testified in a federal case in Orange County. This information was verified by the Federal Bureau of Investigation. On Sunday, April 27, 2008, INMATE MONTEILH was involved in a mutual combat. INMATE MONTEILH stated he was assaulted due to being discovered as being an FBI informant. INMATE MONTEILH requested to be placed on Facility B's (Soft Yard). Per INMATE MONTEILH'S request he will be housed on Facility B pending his transfer to a suitable institution. Although, not considered genuine SNY per the Departmental guidelines, INMATE MONTEILH was advised that Facility B does have a notably lower level inmate politics and that inmates have had a higher level of success safely housing and programming. INMATE MONTEILH was given clear program expectations with regards to his behavior while housed on Facility B and that he could be housed with anyone with similar safety needs regardless of their commitment offense while in this facility. INMATE MONTEILH has agreed to abide by those expectations. INMATE MONTEILH was also informed that any discovery of gang activity or unacceptable/disruptive behavior on his part would be cause for review of his housing status. INMATE MONTEILH acknowledged understanding those expectations by affixing his signature to this 128B Chrono.

Monteilh G-17056  
MONTEILH G-17056

Original: Central File

cc: Counselor

Facility B, Captain

Inmate Interview Sheet

Inmate

J. ACEVES  
CORRECTIONAL SERGEANT  
WASCO STATE PRISON-RC

DATE: April 28, 2008

INFORMATIVE CHRONO

RE-4 'REQUESTING SNY'  
01/06/08

NAME and NUMBER: INMATE MONTEILH G-17056

On Monday, April 28, 2008, INMATE MONTEILH advised custody staff that he was in fear for his personal safety if he remained on Facility C or H. INMATE MONTEILH stated that he testified in a federal case in Orange County. This information was verified by the Federal Bureau of Investigation. On Sunday, April 27, 2008, INMATE MONTEILH was involved in a mutual combat. INMATE MONTEILH stated he was assaulted due to being discovered as being an FBI informant. INMATE MONTEILH requested to be placed on Facility B's (Soft Yard). Per INMATE MONTEILH'S request he will be housed on Facility B pending his transfer to a suitable institution. Although, not considered genuine SNY per the Departmental guidelines, INMATE MONTEILH was advised that Facility B does have a notably lower level inmate politics and that inmates have had a higher level of success safely housing and programming. INMATE MONTEILH was given clear program expectations with regards to his behavior while housed on Facility B and that he could be housed with anyone with similar safety needs regardless of their commitment offense while in this facility. INMATE MONTEILH has agreed to abide by those expectations. INMATE MONTEILH was also informed that any discovery of gang activity or unacceptable/disruptive behavior on his part would be cause for review of his housing status. INMATE MONTEILH acknowledged understanding those expectations by affixing his signature to this 128B Chrono.

*Greg Monteluh G 17056*  
MONTEILH G-17056

Original: Central File  
cc: Counselor  
Facility B, Captain  
Inmate Interview Sheet  
Inmate

*J. Aceves*  
J. ACEVES  
CORRECTIONAL SERGEANT  
WASCO STATE PRISON-RC

DATE: April 28, 2008

'REQUESTING SNY'

INFORMATIVE CHRONO

**EXHIBIT L**

STATE OF CALIFORNIA  
ACTIVITY REPORT  
CDC 1502 (7/2004)

Case 8:10-cv-00102-JVS-RNB Document 62 Filed 09/02/10 Page 51 of 54 Page ID #1125

CHECK BOX  
☐ DISCHARGE REVIEW - FEL  
☐ DISCHARGE REVIEW - NON-FEL  
☐ NAEA REPORT - SUSPEND/REINSTATE  
☐ CSTCU  
☒ ACTIVITY REPORT

DEPARTMENT OF CORRECTIONS  
ATTACH BPT-1130, C1&T REPORT, LEGAL STATUS SHEET

☐ SUPPLEMENTAL TO  
REPORT

CDC NUMBER  
G 056

NAME (LAST, FIRST, MD)  
Monteilh, Craig F.

REGION/UNIT  
IV/Fullerton

CONTROLLING DISCHARGE DATE  
9/15/2011

DISCHARGE REVIEW DATE  
9/15/2009

IMMINENT DISCHARGE  
☐

COMMITMENT OFFENSE  
P487(A) Grand Theft exceed \$400.00

IS COMMITMENT OFFENSE SUBJECT TO 667.5 P.C. (WHETHER OR NOT COMMITMENT WAS ENHANCED)?  
☒ NO ☐ YES - IF YES, \*DO NOT SPECIFY DISCHARGE EFFECTIVE DATE BELOW

IF ARRESTED, COMPLETE THE FOLLOWING ARREST DATA

ARREST DATE	ARRESTING AGENCY	BOOKING NUMBER AND/OR LOCATION	NAME BOOKED AS
			Same
HOLD DATE	HOLD REMOVED DATE		

CIRCUMSTANCES OR CHARGES

On 10/28/08, the subject called stating he was told by his former Agent his case was being transferred to the Fullerton Unit, the subject did not leave a forwarding phone number, thus AOR could not call him back.

On 10/29/08, the subject phones AOR introducing himself. When asked where he is living, the subject stated he is in an Extended Stay Hotel in the City of Lake Forest. He further stated that he moved there to be closer to his current job. When asked who is his employer, he said "FBI". The subject gave me a phone number and name of Agent J. Avalon of the Santa Ana office. I did call and confirm that the subject is indeed an active confidential informant for the FBI. It should also be noted that the subject stayed two weeks at the Extended Stay Hotel in the City of Torrance.

There is nothing in the subject's file to indicate that the subject has met the proper protocol for becoming a confidential informant, therefore, the case is not accepted for supervision at the Fullerton Unit and shall be transferred back to the Costa Mesa Unit.

AGENT'S RECOMMENDATION:  
Transfer case back to Costa Mesa Unit.

PAROLE AGENT'S SIGNATURE  
*[Signature]*

DATE  
10/29/08

INIT SUPERVISOR'S ACTION

☒ DECISION ☐ REVIEW ☐ RETAIN HOLD ☐ RELEASE HOLD AS OF (DATE): ☐ CANCEL WARRANTS — WANTS

☐ CONTINUE ON PAROLE ☐ CONTINUE IN OUT PATIENT STATUS ☐ \*DISCHARGE EFFECTIVE (DATE): ☐ RETAIN ON PAROLE

REINSTATE ON PAROLE AS ☐ TIME LOSS ☐ SUSPEND/REINSTATE IN OPS AS ☐ REFER TO BPT/NAEA ☐ INVESTIGATE, SUBMIT APPROPRIATE

OF (DATE): ☐ NO TIME LOSS ☐ OF (DATE): ☐ REPORT BY (DATE):

SPECIAL CONDITION(S):

☐ ADD ☐ DELETE

IT SUPERVISOR'S COMMENTS/RECOMMENDATION  
TO COSTA MESA. COUNCIL IN COSTA MESA. WORKING AS FBI INFORMANT TO PERMISSOR

UNIT SUPERVISOR'S SIGNATURE  
*[Signature]*

DATE  
OCT 29 2008

REFER TO PAROLE ADMINISTRATOR

ADMINISTRATOR'S COMMENTS/DECISION

REFER TO BPT/NAEA ☐ \*DISCHARGE EFFECTIVE DATE ☐ FIELD ADMINISTRATOR'S SIGNATURE ☐ DATE ☐

OLLEE/RELEASEE COPY PROVIDED ☐ MAILED ☐ DELIVERED BY: ☐

**EXHIBIT M**



**From:** Ivan Chernenko (chernenkoivan@yahoo.com)  
**To:** masood.azaran@usdoj.gov  
**Date:** Thursday, November 20, 2008 2:31:14 PM  
**Subject:** Fw: Civil Right Abuse

----- Forwarded Message -----

**From:** Ivan Chernenko <chernenkoivan@yahoo.com>  
**To:** inspector.general@usdoj.gov  
**Sent:** Tuesday, November 11, 2008 11:15:25 AM  
**Subject:** Civil Right Abuse

To whom it may concern,

I am a confidential source for the F.B.I. Joint Terrorism Task Force (JTTF) in the Los Angeles Region. I provided good cooberated (recorded) intelligence that resulted in present on-going operations within the United States and abroad, the obtaining of FISA warrants, sealed indictments, and actions taken by the DOJ that I do not know or need to know. The operation I was involved in has executive finding. I have signed a non-disclosure agreement as to my role in the operation as well as my relationship to the Bureau.

During the operation a matter arose stemming from my prior work in the criminal division. Local law enforcement detectives came to interview me at my home. Due to the sensitive nature of the operation I was instructed by my handler to mislead the detectives. I followed the direction. ASAC Barbara Walls held off all action. And when my work was finished on the operation Ms. Walls allowed detectives to arrest me. I believe ASAC Walls allowed this as a personal act of revenge.

I was further instructed not to divulge any information as to my relationship with the F.B.I. even if it would have had all charges dropped against me. As a result I was forced to take a plea and was sentenced to 16 months state prison. Please carefully look into this matter. My role as a potential confidential informant has attracted the attention of the media as well as civil rights litigants.

It is my desire to handle this matter through the DOJ and not risk any on-going operations within the United States and abroad or have the reputation of the Bureau damaged. You may contact me at: (949) 735-5840. Or email me at: chernenkoivan@yahoo.com. Thank you.

**PROOF OF SERVICE**

**SHORT TITLE OF CASE:** Monteilh vs. FBI et al

**CASE NUMBER:** SACV 10-102-JVS(RNBx)

I am a citizen of the United States and a resident of the County of Orange. I am over the age of eighteen years and not a party to the above-entitled action; my business address is 1200 Main Street, Ste. H, Irvine, CA 92614.

On the date below, I served the following document(s):

- SECOND AMENDED COMPLAINT FOR DAMAGES OF PLAINTIFF CRAIG F. MONTEILH**

addressed as follows:

Thomas K. Buck, Esq.  
United States Attorney's Office  
312 N. Spring St.  
Los Angeles, CA 90012  
[Tom.Buck@usdoj.gov](mailto:Tom.Buck@usdoj.gov)

Woodruff, Spradlin & Smart  
Daniel K. Spradlin, Esq  
555 Anton Blvd #1200  
Costa Mesa, CA 92626-7670  
[dspradlin@wss-law.com](mailto:dspradlin@wss-law.com)  
T/ 714-558-7000  
F. 714-835-7787

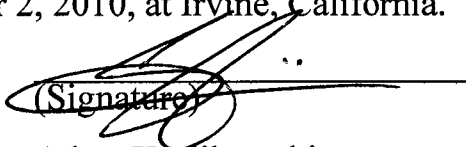
XXX BY U.S. MAIL, by depositing the sealed addressed envelope(s) containing the document(s) listed above with the United States Postal Service with the postage fully prepaid, and by registered or certified mail with return receipt requested.

Xxx BY ELECTRONIC TRANSMISSION by transmitting such document(s) by Electronic transmission to the email addresses listed above.

\_\_\_\_\_ BY PERSONAL SERVICE by personal delivery of such document(s) to the person(s) listed above.

I declare under penalty of perjury of the laws of the United States of America that the foregoing is true and correct.

Executed on September 2, 2010, at Irvine, California.

  
(Signature)

Adam Krolkowski